

'02 DEC 26 PM2:46

AFFIDAVIT OF MAILING

STATE OF OREGON     )  
                                  ) ss,  
County of Douglas     )

State of Oregon, County of Klamath  
Recorded 12/26/2002 2:46 p m.  
Vol M02, Pg 75595-75601  
Linda Smith, County Clerk  
Fee \$ 51.00 # of Pgs 7

I, Barbara L. Thomas, being first duly sworn, depose, say and certify that:

At all times hereinafter mentioned I was and now am a resident of the State of Oregon, a competent person over the age of eighteen years and not the beneficiary or his successor in interest named in the attached original Trustee's Notice of Sale given under the terms of that certain trust deed described in said notice.

I gave notice of the sale of the real property described in the attached Trustee's Notice of Sale by mailing an original thereof by first class and certified mail with return receipt requested to each of the parties named on the attached letter at their respective addresses.

Said parties include the grantor in the trust deed; any successor in interest to the grantor whose interest appears of record or of whose interest the trustee or the beneficiary has actual notice any parties having a lien or interest subsequent to the trust deed if the lien or interest appears of record or the beneficiary has actual notice of the lien or interest; and, any party requesting notice, as required by ORS 86.785.

Each of the notices so mailed was an original notice of sale signed by the trustee; each such notice was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Roseburg, Oregon, on September 5, 2002. With respect to each party listed herein, one such notice was mailed with postage thereon sufficient for first class delivery to the address indicated and another such notice was mailed with a proper form to request and obtain a return receipt and postage thereon in the amount sufficient to accomplish the same. Each notice was mailed after the notice of default and election to sell described in said notice of sale was recorded.

Barbara L. Thomas  
Barbara L. Thomas, Assistant Secretary

Subscribed and sworn to before me this 5th day of September, 2002

Kathleen A Brown



Return to:  
Ameititen  
Roseburg



75596

September 3, 2002

ANDREI MIKHALEV  
LKA  
Spain Torrevieja (Alicante)  
URB, Molino Blanco  
Calle Geranios 2  
Puerta-T, Piso 3, Bloque 3  
031080


ANDREI MIKHALEV  
3396 Myrtle Street  
Woodburn, OR 97071

Attached, and mailed separately to each of you by both first class and certified mail, is an original Trustee's Notice of Sale in connection with the foreclosure of a trust deed made by ANDREI MIKHALEV in favor of RUNNING Y RESORT, INC., an Oregon corporation. This notice is being mailed to you pursuant to Chapter 86 of the Oregon Revised Statutes.

Please read the enclosed notice carefully and if you have any questions regarding your rights you should consult your attorney.

Sincerely,

AmeriTitle, Inc.

  
Barbara L. Thomas  
Assistant Secretary

BLT: BT2  
Order No.: 00056100



75597

### TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by ANDREI MIKHALEV, as Grantor, to AmeriTitle, Inc. as Trustee in favor of RUNNING Y RESORT, INC., an Oregon corporation as beneficiary, dated February 5, 2000 and recorded February 18, 2000, in Volume M00 at Page 5274 Records of Klamath County, Oregon, covering the following described real property in said county and state:

Lot 262 of Running Y Resort, Phase 3, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said Trust Deed and a Notice of Default has been recorded pursuant to Oregon Revised Statutes; the default for which foreclosure is made is grantor's failure to pay when due the following sums:

monthly payments in the amount of \$664.45, due for January, 2002, through present, plus late charges, delinquent property taxes and advances by beneficiary, if any.

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said Trust Deed immediately due and payable, said sums being \$ 51,538.31 plus interest, accrued late charges and advances.

WHEREFORE, notice is hereby given that the undersigned trustee will on January 9, 2003, at the hour of 10:30 A.M., Pacific Time, as established by, Oregon Revised Statutes, at the offices of AmeriTitle, Inc. located at 222 South Sixth Street, in the City of Klamath Falls, County of Klamath and State of Oregon, sell at public auction to the highest bidder for cash in the form of a Cashier's Check the interest in the said described real property which the grantor had or had power to convey at the time of the execution by him of the said Trust Deed, together with any interest which the grantor or his successors in interest acquired after the execution of said Trust Deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee.

Notice is further given that any person named in Section 86.753 of Oregon Revised Statutes has the right, at any time prior to five days before the trustee conducts the sale, to have this foreclosure proceeding dismissed and the Trust Deed reinstated by payment to the beneficiary the entire amount then due (other than such portion of the principal as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or Trust Deed, and in addition to paying said sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with trustee's and attorney's fees not exceeding the amounts provided by of Oregon Revised Statutes.

75598

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said Trust Deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

**This is an attempt to collect a debt. Any information obtained will be used for that purpose.**

Dated this 29<sup>th</sup> day of August, 2002

AmeriTitle, Inc.

By:   
Barbara L. Thomas  
Assistant Secretary

For further information regarding this foreclosure, please contact Barbara Thomas at (541) 672-6651 or barbie@ameri-title.com

BLT: BT2

Order No.: 00056100

## AFFIDAVIT OF NON-OCCUPANCY

STATE OF OREGON           )  
  ) ss.  
County of Douglas        )

I, BARBARA L. THOMAS, being first duly sworn, depose, say and certify that:

I am, and have been at all times material hereto, a competent person over the age of eighteen years and not the beneficiary or his successor in interest named in the attached Trustee's Notice of Sale given under the terms of that certain trust deed described in said notice; and,

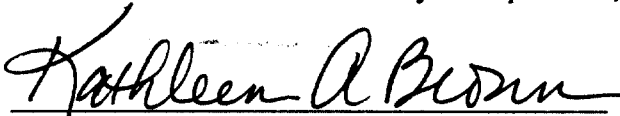
I hereby certify that on September 4, 2002, the property described on the attached Trustee's Notice of Sale was not occupied.



BARBARA L. THOMAS

Assistant Secretary

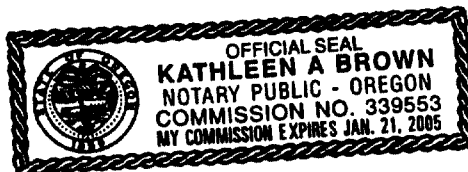
Subscribed and sworn to before me this 4th day of September, 2002.



Notary Public for Oregon

My commission expires: 1-21-05

Order No. 56100





75600

## TRUSTEE'S NOTICE OF SALE

Reference is made to that certain Trust Deed made by ANDREI MIKHALEV, as Grantor, to AmeriTitle, Inc. as Trustee in favor of RUNNING Y RESORT, INC., an Oregon corporation as beneficiary, dated February 5, 2000 and recorded February 18, 2000, in Volume M00 at Page 5274 Records of Klamath County, Oregon, covering the following described real property in said county and state:

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75601

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Dated this 29<sup>th</sup> day of August, 2002

AmeriTitle, Inc.

By: 

Barbara L. Thomas  
Assistant Secretary

For further information regarding this foreclosure, please contact Barbara Thomas at (541) 672-6651 or barbie@ameri-title.com

BLT: BT2

Order No.: 00056100